5 (3)

**IN THE HIGH COURT OF JUDICATURE AT BILASPUR**

**WP(S) No.** 3578 **OF 2006** SINGLE BENCH

**PETITIONER**

Laxmikant Gaikwad
Aged about 57 years
S/o Late Shri S.D.Gaikwad
Occupation: Service
Presently posted as Station Officer
Police Station Baikunthpur
District Koriya
Chhattisgarh

**V E R S U S**

**RESPONDENTS**

1. State of Chhattisgarh
Through Secretary
Government of Chhattisgarh
Department of Home (Police)
Mantralaya, DKS Bhawan
Raipur, Chhattisgarh

2. Director General of Police
Police Headquarters
Raipur, Chhattisgarh

3. Superintendent of Police
Koriya, Baikunthpur
District Koriya, Chhattisgarh

P.R. No. 3649/06
Presented by Shri Gajendra Sahu
dated 7/7/06

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, ORDER OR DIRECTION OR THE LIKE.**

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

45

**मामला क्रमांक** W.P.3578/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

**20.7.2006**

Shri Ranbir Singh Marhas, Advocate for the petitioner.

Shri Sumesh Bajaj, Govt. Adv. for the respondents on advance copy.

Heard.

By this petition the petitioner, who is working as Station House Officer, P.S. Baikunthpur, District Koriya, has challenged his transfer order dated 5.7.2006 (Annexure P-1) whereby he has been transferred to Bastar range.

The main ground of challenge, as argued by learned counsel for the petitioner, is that the petitioner has already completed the age of 57 years and as per transfer policy dated 1.4.2006 Sub-Inspectors, Inspectors, Subedars and Reserve Inspectors, who have crossed the age of 54 years normally should not be posted in the naxallite affected areas. Learned counsel for the petitioner submitted that the transfer of the petitioner is against this policy, therefore, he may be allowed to make a representation to respondent No.2 and in turn respondent No.2 be directed to decide the same in accordance with law, to which learned Government Advocate for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation to respondent No.2 within 10 days from today along with copy of this petition and in turn, respondent No.2 to decide the representation of petitioner within 30 days from the date of receipt of the representation after considering all the points raised by the petitioner in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.2770/06 & I.A. No.6935/06 also stand disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

P.T.O.